

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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|---------------------------|---|--------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CASE NO. 4:20CR40036-DHH |
| |) | |
| VINCENT KIEJZO, |) | |
| |) | |
| Defendant, |) | |
| |) | |
| <i>and</i> |) | |
| |) | |
| MA TEACHERS' RETIREMENT |) | |
| SYSTEM, |) | |
| |) | |
| Garnishee. |) | |

APPLICATION FOR WRIT OF GARNISHMENT

Pursuant to 28 U.S.C. § 3205(b)(1)¹, the Federal Debt Collection Procedures Act, the United States of America (hereinafter “United States”) petitions the Clerk of the United States District Court to issue a Writ of Garnishment upon funds which the MA Teachers' Retirement System, located in Charlestown, MA, is believed to be in possession or control of on behalf of the Defendant, Vincent Kiejzo, (hereinafter “Kiejzo”) whose last known address is in Milford, MA,

¹ Under 28 U.S.C. § 3205(b)(1), the United States files an application for writ of garnishment containing information specified therein. If the Court determines the statutory requirements are met, the Court shall issue the writ of garnishment. 28 U.S.C. § 3205(c)(1). After issuance of the writ, the United States serves the writ on the defendant and the garnishee and certifies to the Court that it has done so. 28 U.S.C. § 3205(c)(3). Included with the service of the writ on the garnishee are instructions explaining the requirement that the garnishee withhold property in accordance with the writ and submit a written answer to the writ within 10 days of receipt. 28 U.S.C. §§ 3205(c)(2)(E), 3205(c)(3)(A), 3205(c)(6). Included with the service of the writ on the defendant are instructions for objecting to the answer of the garnishee and requesting a hearing within 20 days after receipt. 28 U.S.C. §§ 3205(c)(3)(B), 3205(c)(5). If no objection is filed and hearing is requested within the required time period, the court shall promptly enter an order directing the garnishee as to the disposition of the judgment debtor’s nonexempt interest in such property. *See* 28 U.S.C. § 3205(c)(7). If a hearing is timely requested, the order shall be entered within 5 days after the hearing, or as soon as practicable. *Id.*

to satisfy to satisfy a judgment entered against Kiejzo on May 15, 2024. In support, the United States sets forth the following:

1. On May 15, 2024, a Judgment entered in the United States District Court for the District of Massachusetts against Kiejzo, social security number ***-**-2788, last known address in Milford, MA.

2. Kiejzo is indebted for the judgment amount of \$43,600.00, plus interest at the rate of 5.17 percent per annum. The current total balance is \$44,153.01.

3. Pursuant to 28 U.S.C. § 3205(b)(1)(B), the United States made demand for payment of the aforementioned debt upon not less than 30 days prior to the date of this Application, and Kiejzo has failed to satisfy the debt.

4. Pursuant to the Mandatory Victims Restitution Act of 1996 (“MVRA”), the United States Attorney General is responsible for enforcing restitution orders. See 18 U.S.C. §§ 3664(m)(1)(A)(1), 3612(c)(2). Pursuant to 18 U.S.C. §§ 3613(f) and 3664(m)(1)(A), all provisions available for the enforcement of fines are also available for the enforcement of restitution.

5. The United States believes the Garnishee, MA Teachers' Retirement System, is in possession or control of funds belonging to Kiejzo, and that Kiejzo has a substantial nonexempt interest in such funds and/or property. This Writ is intended to compel the Garnishee to pay to the Clerk of the United States District Court funds held on behalf of Kiejzo to be applied towards the outstanding judgment debt

WHEREFORE, the United States respectfully requests the Clerk of the United States District Court issue a Writ of Garnishment.

Respectfully submitted,

UNITED STATES OF AMERICA
By its attorneys

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Date: August 28, 2024

IT IS, on this _____ day of _____ 20_____.

ALLOWED, that the Clerk of the Court shall issue the Writ of Garnishment.

UNITED STATES DISTRICT COURT